GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Tribal Welfare Department – Appeal Petition filed by Smt. Pulicherla Geetha D/o Pulicherla Lakshminarayana Reddy, Sr., Asst., TTD, Tirupathi, Chittoor, against the Proceedings No. D.Dis.C3/1594/ 2005, dated 15.10.2010 of the District Collector, Chittoor - under section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (AP Act No. 16/1993) – Appeal Petition dismissed – Orders Issued.

TRIBAL WELFARE (CV2) DEPARTMENT

G.O.Ms.No.80. Dated:13.11.2015
Read the following:

1. Proceedings of the Dist. Collector, Chittoor, D.Dis.C3/1594/2005, dated:15.10.2010.
2. Appeal Petition filed by Smt. Pulicherla Geetha D/o P.Lakshmi - Narayana Reddy, Sr., Asst.TTD, Tirupathi before M(TW & RIAD) on 25.10.2010.
3. Govt. Memo No. 9543/CV.2/2010,S.W(CV.2) Department, dt.29.10.2010.
4. From the District Collector, Chittoor, Lr. Rc.No.C3/805/2012, dt:23.01.2012.
5. Govt. Memo No.9543/CV.2/2010, T.W (CV.2) Department, dt.13.10.2014 & 24.11.2014.
6. Govt. Memo No.9543/CV.2/2010, T.W (CV.2) Department, dt.23.02.2015

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ORDER:

In the reference 1st read above the District Collector, Chittoor has issued orders canceling ST- Konda Kapu Caste Certificate obtained from the then M.R.O., Karvetinagar on 05.07.1986 by Smt. Pulicherla Geetha D/o Pulicherla Lakshminarayana Reddy, Chittoor District.

2. In the reference 2nd read above, Smt. Pulicherla Geetha D/o Pulicherla Lakshminarayana Reddy, Chittoor District has filed Appeal Petition before the Government against the Proceedings of the District Collector, Chittoor. After examining the said Appeal Petition, Government have admitted the said Appeal Petition and stay orders have been issued on the Proceedings of the District Collector, Chittoor and called for the parawise remarks and connected records from the District Collector, Chittoor in the reference 3rd read above.

3. In the reference 4th read above, the District Collector, Chittoor has furnished the Parawise remarks and connected records on the Appeal Petition filed by Smt. Pulicherla Geetha D/o Pulicherla Lakshminarayana Reddy, Chittoor District.

4. The said Appeal Petition has been posted for hearing on 25.10.2014, 13.12.2014, and finally on 28.02.2015 and the same has been informed to the Appellant and the Counsel for the Appellant and they were requested to attend for the hearing along with all Documentary Evidences/ Certificates in support of their community claim, failing which, it will be construed that there is no claim what-so-ever in the matter and it will be decided based on the material available with the Government in the references 5th & 6th read above.

5. Government after careful examination of the records/ the copies of evidences/academic record/ grounds filed by the Appellant / the parawise remarks submitted by District Collector, Chittoor and Proceedings of the District Collector, Chittoor, dated 15.10.2010, it is observed that the ST-Konda Kapu caste certificate has been issued to the Applicant only basing on school TC and not based on any other local enquiry. The documents filed by the Appellant are mostly School Records, such as

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Transfer Certificate, Admission extract. However the TC of the appellant's father dated 21.06.1957 was also filed. All the said School Records are generated based on the declaration given by the parents at the time of admission into the school. Hence it cannot be given any credence. Further, even though ample opportunity was given to the Appellant to file any documentary evidence or any reliable evidence in support of her ST-Konda Kapu claim, the Appellant has not produced any valid documents regarding her forefathers migration from Godavari District. Further it is also observed that the order of the Collector is well reasoned and the appeal is devoid of any merit and hence the Government is considered opinion that the impugned order is perfectly valid and it does not warrant any interference.

6. The Government, in exercise of the powers conferred under Section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (Act No16 of 1993), decided that the appeal Petition filed by Smt. Pulicherla Geetha D/o Pulicherla Lakshminarayana Reddy, does not deserve any interference. Hence, the Proceedings of the District Collector, Chittoor issued vide Rc.No. D.Dis.C3/1594/ 2005, dated 15.10.2010, is hereby upheld and the Appeal Petition filed by Smt. Pulicherla Geetha D/o Pulicherla Lakshminarayana Reddy is hereby dismissed and the Certificate issued by the then M.R.O., Karvetinagar deemed to be cancelled.

7. Consequently, the District Collector, Chittoor shall take necessary action in the matter.

8. The records (containing Rc.No.D.Dis.C3/1594/2005, dated:15.10.2010, pages 01 to 216 CF & NF pages 1-22) received from District Collector, Chittoor, through the reference 4th read above, are returned herewith in original to District Collector, Chittoor and he is requested to acknowledge the receipt of the same, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. A. VIDYA SAGAR
PRINCIPAL SECRETARY TO GOVERNMENT(TW)

To
The District Collector, Chittoor (w.e) (By RPAD)
(with original records).

Smt. Pulicherla Geetha, D/o Pulicherla Lakshminarayana Reddy,
Occ: Senior Assistant, TTD Tirupathi, Chittoor District.

Sri Challa Shiva Shankar, Advocate,
H.No. 10-58, Flat No.308, Balaji Estates,
New Gaddiannaram, Dilsukhnagar, Hyderabad.

Copy to:

The Director, TCR& TI, AP, Hyderabad.

The Executive Officer,
Tirumala Tirupati Devasthanams,
Tirupathi, Chittoor District.

P.S. to Hon'ble Minister(SWE&TWE).
P.S. to Principal Secretary(TW).

// FORWARDED :: BY ORDER //

SECTION OFFICER